IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 134 OF 2007

BHASKAR TIMAPPA SHETTY .. PETITIONER

Versus

Sr. INSPECTOR OF POLICE & ORS. .. RESPONDENTS

Mr. K.S. Patil for petitioner

Mrs. A. S. Pai, APP

CORAM:-SMT. RANJANA DESAI &
ANOOP V. MOHTA, JJ.

DATED:-12/2/2007

P.C.

. The grievance of the petitioner in this petition is that though as far back as on 17/1/07 the Secretary of Indian National Congress has filed a complaint with Vartak Nagar Police Station, Thane, alleging that Shri Harishchandra Patil has forged Annexure-I & II showing himself as official candidate of Ward No. 21, the police have till date not investigated the case properly.

2. We have heard Mr. Patil learned advocate for petitioner. Mr. Patil states that considering the

seriousness of the offence appropriate direction may be given to the police to carry out proper investigation.

3. Mrs. Pai, learned APP on instructions from R.A. Somvanshi, API attached to Vartak Nagar Police Station states that the police have requested the Election Commissioner, who is in possession of the sealed documents to handover the sealed documents to the investigating officer so that investigation could be carried in the right direction. The learned APP states that within 15 days the police are likely to receive the sealed documents. She states that as soon as the sealed documents are received by the police, the same would be forwarded to handwriting expert and after receiving the handwriting expert's report, further necessary steps will be taken.

4. We record this statement. We hope and trust that the police will carry out the necessary investigation after the receipt of the sealed documents.

5. In view of the statement made by the learned APP, it is not necessary to entertain this

petition.

6. Needless to say that if the petitioner finds that the police do not carry out proper investigation after receipt of the handwriting expert's report, he will be at liberty to adopt such remedy as may be available to him in law.

7. Petition is disposed of in the aforestated terms.

JUDGE.

JUDGE.